

Department of Marine Resources
NOTICE OF AGENCY RULE-MAKING ADOPTION
CHAPTER & TITLE: Chapter 25.65 Emergency Closure, Matinicus

CONCISE SUMMARY: Effective 1/2 hour before sunrise, July 23, 2009 the area bounded by the coordinates listed below is closed to all lobster and crab fishing licensed activities including the setting or taking up of gear. This regulation expires at midnight August 6, 2009. For more information contact: Marine Patrol Division II, Lt. Alan Talbot, tel: (207) 667-3373.

The area is bounded by the following points and or coordinates:

Point, Latitude, Longitude: 1. 43°54.487' N, 68°5 8.698' W; 2. US Coast Guard buoy RW "WP"; 3. 43°54 .927' N, 68° 48.388' W; 4. 43°51.441' N, 68°46.649' W; 5. 43° 43.939' N, 68°50.881' W; 6. 43°44.556' N, 68°53. 902' W; 7. 43° 48.517' N, 68°51.433' W; 8. "The Hogshead"; 9. 43° 50.331' N, 68°55.257' W; 10. 43°46.815' N, 68°5 7.392' W; & 11. 43°47.321' N, 68°59.325' W.

EFFECTIVE DATE:

July 23, 2009

AGENCY CONTACT PERSON:

Lt. Alan Talbot (207-667-3373)

AGENCY NAME:

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Basis Statement

Serious lobster gear conflicts have persisted at Matinicus Island and the fishing area around the island this spring and summer that have escalated to the point of having an adverse affect on the safety of lobster fisherman and the economy of the island community. Property has been vandalized, hundreds of lobster traps cut off, assaults taken place and threats on individuals and personal property has occurred. On July 20th, 2009 the conflict escalated to the point of a physical assault, pepper spray and firearms being used, and one person being struck by gunfire seriously injuring him. These circumstances create a serious and immediate threat to the personal safety and welfare of lobster fisherman using the waters off Matinicus Island, as well as an immediate threat of serious economic dislocation. To address these threats, it is necessary to close the areas traditionally fished around Matinicus Island in order to resolve the gear conflicts and to restore peace and create a reasonable and safe atmosphere where lobster fishing can take place without the fear of personal confrontation or injury and significant monetary loss. The adoption of this rule, addressing the gear conflicts on Matinicus Island, is necessary on an emergency basis to prevent serious economic dislocation in the area, as is authorized by 12 M.R.S. §6171-A(4-A); as well as to avoid an immediate threat to the public health, safety or general welfare, as authorized by 5 M.R.S. §8054.

Adopted emergency regulations:

Chapter 25 Lobster and Crab

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6. 43°44.556' N, 68°53.902' W;

7. 43°48.517' N, 68°51.433' W;

8. "The Hogshead";

9. 43°50.331' N, 68°55.257' W;

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